MCC WILL MOVE TO OUST O'HARA

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Group to File Petition for Judge's Removal

The Metropolitan Crime Commission will file a petition for removal from office of Criminal District Court Judge Malcolm V. O'Hara, Gov. John J. McKeithen said here Monday.

E. C. Upton Jr., commission president, said it will be filed "as early as possible this week" in the state attorney general's office.

Louisiana law requires that action to determine whether a judge or state official should be removed must be taken by the attorney general on receipt of a petition signed by 25 citizens or taxpayers.

Judge O'Hara's conduct has been criticized by the commission, the New Orleans Bar Association and the Greater New Orleans Federation of Churches.

The church federation Friday asked McKeithen to seek a Supreme Court hearing to see if the judge should be ousted. McKeithen Monday said he intends to take no action on this request since the commission had decided to petition for removal.

Controversy over O'Hara began when he testified last month in a Chicago federal court hearing that he was the expense-paid traveling companion of New Orleans builder Zachary A. "Red" Strate.

STRATE CONVICTED

Strate was convicted along with Teamster Union President James Hoffa in 1964 on charges of fraud and conspiracy.

O'Hara also testified that he was a messenger in efforts to get a Baton Rouge Teamster official, Edward Grady Partin, to sign an affidavit that Hoffa was convicted on the basis of illegal wiretap information. Partin's testimony was instrumental in convicting Hoffa of a jury tampering charge in Chattanooga.

The crime commission earlier tried to get McKeithen to institute a removal suit, which he could do under the law. The governor, however, said all local remedies should be taken before he stepped into such a matter.

McKeithen revealed the commission's expected move during an interview. In addition, he discussed an article in this week's Life magazine that made charges of racketeering and organized crime in the state.

CHARGES MADE

The article charges that on many occasions between June, 1966, and March, 1967, Carlos Marcello called Aubrey Young, former aide to the governor, on Young's direct line in the governor's office.

Earlier articles alleged that Young arranged a meeting between Partin and a public relations man who brought up Hoffa's name. Young confirmed that he arranged the meeting, but said he did not know the purpose of it.

The magazine also said Young passed out $100 bills to Las Vegas show girls while he was the guest of Mario Marino in the Sands Hotel. Marino is described as a friend of Marcello.

McKeithen said, "Aubrey Young is presently in our institution at Mandeville.

"He has vehemently denied to me having talked or met with Carlos Marcello. His trips to Las Vegas were one reason I told him he could not work for me any more. I understand he was intoxicated the whole time he was in Las Vegas."

The magazine story said one gambling club in Lafayette

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closed after the article on Louisiana crime appeared, but another opened under the same management shortly afterward.

McKeithen said he had instructed the state police to make sure no gambling was going on, and that he has no knowledge of any.

Concerning allegations in the story that three illegal bookmaking operations flourish in New Orleans, McKeithen said state police could investigate it but he hoped New Orleans police and the district attorney could handle it.

District Attorney Jim Garrison has denied existence of any organized crime in Orleans Parish.

The governor said he did not know why Life would say there is gambling and other evidence of organized crime if in fact it does not exist.

"I said before, and I still think, it has something to do with Sheridan being indicted down here in connection with Garrison's investigation," he said. He referred to Walter Sheridan, National Broadcasting Company newsman under

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indictment for bribery in connection with the assassination investigation.

The governor said representatives of Life are supposed to visit him this week and make available all information on which they base their charges.